

Exhibit A

Mailing Date: November 30, 2000 Certificate of Mailing: [X] Express Mail Label No.: EL474300493US

File No.: 020510-9.00 Attorney: Sec'y: KRA:deh

Inventor(s): CHRISTIAN BOURGET et al.

Title: PEAK TO AVERAGE POWER RATIO REDUCTION IN COMMUNICATION SYSTEMS

Patent Application consisting of:

10 Pages of Description, 4 Pages of Claims, and 1 Page of Abstract, and

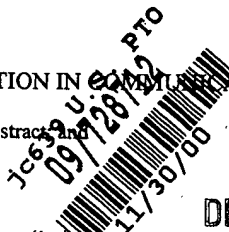
5 Sheets of formal drawings.

Accompanying the above patent application are:

- 1) Transmittal letter with fee calculation (in triplicate) (1 p);
- 2) Verified Statement (Declaration) Claiming Small Entity Status (1 p);
- 3) A signed Declaration and Power of Attorney (2 pp);
- 4) Power of Attorney By Assignee with Certificate Under §37 CFR 3.73(b), including copies of Assignments;
- 5) Recordation Form Cover Sheet (from the inventors to Catena Networks Canada, Inc.);
- 6) Assignment (from the inventors to Catena Networks Canada, Inc.);
- 7) Recordation Form Cover Sheet (from Catena Networks Canada, Inc. to Catena Networks, Inc.);
- 8) Assignment (from Catena Networks Canada, Inc. to Catena Networks, Inc.);
- 9) Information Disclosure Statement, Form PTO-1449 and 5 patent references; and
- 10) Return Receipt Postcard.

Kindly stamp receipt date and serial number and return to addressee to acknowledge receipt of the above documents.

PA 3113284 v1



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/728,712
Filing Date	November 30, 2000
First Named Inventor	Bourget, Christian, et. al.
Group Art Unit	2661
Examiner Name	Not Assigned
Attorney Docket Number	20510-9.00

Total Number of Pages in This Submission

1

## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s)

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
  - Response to Notice of Omitted Item(s) in A Nonprovisional Application;
  - Exhibit A
  - Exhibit B
  - Exhibit C
  - Copy of Informal Fig. 5 (from priority application)
  - Copy of Formal Figs. 1-5

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Kenneth R. Allen	Reg No. 27,301
Signature	<i>Kenneth R. Allen</i>	
Date	<i>April 23, 2001</i>	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
PA 3141059 v1

Customer No. 20350  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(415) 576-0200

ASSISTANT COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Attorney Docket No. 20510-9.00US

"Express Mail" Label No. EL474300493US

Date of Deposit: November 30, 2000

Exhibit B

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is the

- ☒ [ X ] patent application of  
☐ [ ] continuation patent application of  
☐ [ ] divisional patent application of  
☐ [ ] continuation-in-part patent application of

Inventor(s)/Applicant Identifier: CHRISTIAN BOURGET et al.

For: PEAK TO AVERAGE POWER RATIO REDUCTION IN COMMUNICATION SYSTEMS

☒ [ X ] This application claims priority from each of the following Application Nos./filing dates:

Canada 2,291,493 Filed December 3, 1999

the disclosure(s) of which is (are) incorporated by reference.

☐ [ ] Please amend this application by adding the following before the first sentence: "This application is a ☐ [ ] continuation ☐ [ ] continuation-in-part of and claims the benefit of U.S. Provisional Application No. 60/\_\_\_\_\_, filed \_\_\_\_\_, the disclosure of which is incorporated by reference."

Enclosed are:

- ☒ [ X ] 10 page(s) of specification  
☒ [ X ] 4 page(s) of claims  
☒ [ X ] 1 page of Abstract  
☒ [ X ] 5 sheet(s) of formal drawing(s).  
☒ [ X ] Recordation Form Cover Sheet (from the inventors to Catena Networks Canada, Inc.)  
☒ [ X ] An assignment of the invention (from the inventors to Catena Networks Canada, Inc.)  
☒ [ X ] Recordation Form Cover Sheet (Catena Networks Canada, Inc. to Catena Networks, Inc.)  
☒ [ X ] An assignment of the invention to Catena Networks, Inc.  
☒ [ X ] A signed Declaration & Power of Attorney  
☒ [ X ] A Power of Attorney by Assignee with Certificate Under 37 CFR Section 3.73(b) and copy of Assignment.  
☒ [ X ] A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 ☐ [ ] is enclosed ☒ [ X ] was filed in the prior application and small entity status is still proper and desired.  
☒ [ X ] Information Disclosure Statement under 37 CFR 1.97.  
☐ [ ] Notification of change of ☐ [ ] power of attorney ☐ [ ] correspondence address filed in prior application.

	(Col. 1)	(Col. 2)
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	10 - 20	= *0
INDEP. CLAIMS	5 - 3	= *2
<input type="checkbox"/> [ ] MULTIPLE DEPENDENT CLAIM PRESENTED		

\* If the difference in Col. 1 is less than 0, enter "0" in Col. 2.

SMALL ENTITY

RATE	FEE
	\$355.00
x \$9.00 =	\$0.00
x \$40.00 =	\$80.00
+ \$135.00 =	
TOTAL	\$435.00

OTHER THAN  
SMALL ENTITY

RATE	FEE
	\$710.00
x \$18.00 =	
x \$80.00 =	
+ \$270.00 =	
TOTAL	

Please charge Deposit Account No. 20-1430 as follows:

- ☒ [ X ] Filing fee \$ 435.00  
☒ [ X ] Any additional fees associated with this paper or during the pendency of this application.  
☐ [ ] The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b)

☐ [ ] A check for \$ \_\_\_\_\_ is enclosed.  
2 extra copies of this sheet are enclosed.

Respectfully submitted,  
TOWNSEND and TOWNSEND and CREW LLP

*Kenneth R. Allen*

Kenneth R. Allen  
Reg No.: 27,301  
Attorneys for Applicant

Telephone:  
(650) 326-2422

Facsimile:  
(650) 326-2422

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/728,712
Filing Date	November 30, 2000
First Named Inventor	Bourget, Christian, et. al.
Examiner Name	Not Assigned
Group Art Unit	2661
Attorney Docket No.	20510-9.00

TOTAL AMOUNT OF PAYMENT (\$) 130

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$)

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
-20**	-3**		X	X	
			X	X	
			X	X	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) Petition For Response to Notice of Omitted Item(s)					130

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$130)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Kenneth R. Allen	Registration No. (Attorney/Agent)	27,301	Telephone	650-326-2400
Signature	Kenneth R. Allen	Date	4/23/01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3141056 v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,712	11/30/2000	Christian Bourget	20510-9.00US

CONFIRMATION NO. 4875

## FORMALITIES LETTER



\*OC000000005933863\*

Matthew R. Allen  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834

Date Mailed: 04/04/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 5 described in the specification.

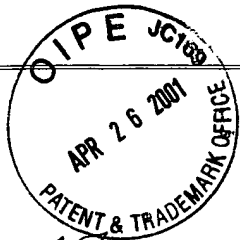
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if

necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.



*A copy of this notice MUST be returned with the reply.*

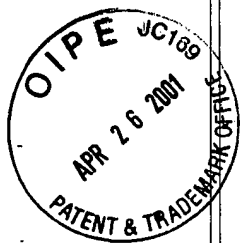
*MIS*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

PATENT  
Attorney Docket No.: 20510-9.00US



On April 23, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Diane Hawley

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

CHRISTIAN BOURGET et al.

Application No.: 09/728,712

Filed: November 30, 2000

For: PEAK TO AVERAGE POWER  
RATIO REDUCTION IN  
COMMUNICATION SYSTEMS

Examiner: Not Assigned

Art Unit: 2661

**RESPONSE TO  
NOTICE OF OMITTED ITEM(S) IN A  
NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

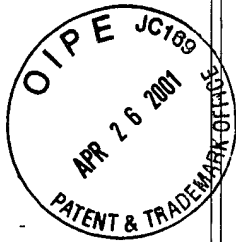
Attention: Initial Patent Examination Division

Sir:

Pursuant to the Notice of Omitted Items mailed April 4, 2001, enclosed are the following documents to be made of record in the above-identified application:

- 1) Photocopy of Applicant's return receipt postcard (Exhibit A);
- 2) Photocopy of Applicant's patent application transmittal letter (Exhibit B);
- 3) Photocopy of informal Fig. 5 taken from Applicant's priority Canadian patent Application No. 2,291,493 (Exhibit C);
- 4) Photocopy of Notice of Omitted Items;
- 5) Formal Figs. 1, 2A, 2B, 3, 4 and 5; and
- 6) Return Receipt Postcard.

Applicants respectfully submit the above-referenced Exhibits A and B which illustrate that five (5) sheets of formal drawings were in fact deposited in the U.S. Patent and Trademark Office with the nonprovisional application papers. Applicants believe that submission of these Exhibits constitute evidence to support prior submission of formal Fig. 5.



Applicants respectfully submit a photocopy of informal Fig. 5 as taken from Applicant's Canadian priority patent Application No. 2,291,493 (Exhibit C). This exhibit illustrates that no new matter is being submitted with this response. Applicants further desire to re-submit a copy of formal Figs. 1, 2A, 2B, 3, 4 and 5 as originally submitted.

In light of the above, Applicants wish to retain the November 30, 2000 filing date and do not accept the date that such omitted item(s) were filed as the filing date of this application.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kenneth R. Allen".

Kenneth R. Allen  
Reg. No. 27,301

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Ph.: (650) 326-2400  
Fx.: (650) 326-2422  
KRA:deh